

September 19, 2006

September Nineteenth

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The second regular September Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., John C. Hamlin, T. David Luther, T. Wayne Oakes, Vice-Mayor Sherman M. Saunders, Adam J. Tomer, and Mayor R. Wayne Williams, Jr. (9).

Staff Members present were City Manager Jerry L. Gwaltney, Assistant City Manager for Utilities Joseph C. King, City Attorney W. Clarke Whitfield, Jr., Assistant City Attorney John C. Blair, III, and City Clerk/Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Police Chief Philip Broadfoot, Finance Director Barbara Dameron, Key Accounts Manager Kevin Martin, and Parks, Recreation and Tourism Director Bill Sgrinia.

Mayor Williams presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Ruby Archie offered the Invocation. The Pledge of Allegiance to the Flag followed.

COMMUNICATIONS FROM VISITORS

Pat Thornton, 200 Westview Drive, appeared to seek relief from the odor, rats, flies, barking dogs, and the financial strain of extermination services brought on by what Ms. Thornton felt was a large number of dogs kept at her next door neighbors. Ms. Thornton brought the matter to Council's attention during the July 18 Meeting. She said her family felt as though they were being held hostage in their own home because of the odors, flies, and barks coming from her neighbor's home. She further stated she had to sterilize her water because of fly infestation. Ms. Thornton said she felt Council had swept this matter under the rug and there was no legal recourse that she was aware of.

Mayor Williams advised Ms. Thornton's concerns had been taken very seriously and were discussed at length during a subsequent Council Work Session. Dr. Williams advised Ms. Thornton to contact the Police Department when she felt there were code violations taking place. He said the appropriate city personnel and the Humane Society had conducted a thorough investigation following Ms. Thornton's original complaint and found the neighbor's home to be in full compliance with the City Code.

Council Member Daniels stated he would not want to put up with odors and flies because of dogs. Mr. Daniels said he would like to help, but due to code requirements, was unable to do so.

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Council Member Castiglione suggested Ms. Thornton call for assistance when she felt the odors and flies were extremely offensive.

Deputy City Manager Lacy reported there had been random investigations of Ms. Thornton's complaints on three or four different occasions and it was found that everything was in order.

Mayor Williams thanked Ms. Thornton for bringing her concerns to Council.

MINUTES

Upon Motion by Council Member Daniels and second by Council Member Oakes, Minutes of the September 5, 2006 Meeting of Danville City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Tomer, and Williams (9)
NAY: None (0).

BUDGET ADOPTION - FY 2006-2007 - TITLE III-B & TITLE III-D FUNDS

Upon Motion by Council Member Castiglione and second by Council Member Daniels, Ordinance No. 2006-09.04 presented by its First Reading on September 5, 2006 amending the Fiscal Year 2006-2007 Budget Appropriation Ordinance by increasing certain revenues to provide for title III-B and Title III-D grant funds and local share for senior citizens programs and appropriating same was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Tomer, and Williams (9)
NAY: None (0).

BUDGET ADOPTION - FY 2006-2007 - VICTIM WITNESS PROGRAM

Upon Motion by Council Member Daniels and second by Council Member Tomer, Ordinance No. 2006-09.05 presented by its First Reading on September 5, 2006 amending the Fiscal Year 2006-2007 Budget Appropriation Ordinance to provide for a grant from the State for a Victim Witness Program in the amount of \$50,364 and appropriating same was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Tomer, and Williams (9)
NAY: None (0).

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CANCEL OCTOBER 17, 2006 COUNCIL MEETING

Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-09.01

A RESOLUTION CANCELING THE REGULAR MEETING OF CITY COUNCIL SCHEDULED FOR OCTOBER 17, 2006 AND SCHEDULING A SPECIAL MEETING OF CITY COUNCIL ON OCTOBER 19, 2006.

Council Member Hamlin seconded the Motion.

Mayor Williams advised some Council Members and city administrative staff would be attending the Virginia Municipal League Annual Conference from October 15-17. This necessitates canceling the Regular Meeting and scheduling a special meeting for Thursday, October 19.

The Resolution was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Tomer, and Williams (9)
NAY: None (0).

BUDGET AMENDMENT-FY 2006-2007-EDWARD BYRNE MEMORIAL GRANT PROGRAM

Upon Motion by Council Member Oakes and second by Vice-Mayor Saunders, an Ordinance entitled:

ORDINANCE NO. 2006-09.06

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE TO ANTICIPATE THE RECEIPT OF FUNDS FROM THE DEPARTMENT OF JUSTICE 2006 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR ONE (1) GRANT IN THE AMOUNT OF \$34,010 AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

SUPPORT WIDENING OF NC HIGHWAY 86 TO VIRGINIA STATE LINE

Council Member Luther moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-09.02

A RESOLUTION SUPPORTING THE WIDENING OF NC HIGHWAY 86 FROM US 158 TO THE VIRGINIA STATE LINE TO MULTI-LANES.

The Motion was seconded by Council Member Castiglione and carried by the following vote:

VOTE: 9-0

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AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Tomer, and Williams (9)
NAY: None (0).

COMMUNICATIONS

There were no communications from the City Manager, City Attorney and City Clerk.

ROLL CALL

Council Member Archie advised that on Monday, September 25, 7:00 P.M., all parents on the north side of Danville are invited to Johnson School to talk to School Board Members. Mrs. Archie encouraged all parents to come prepared to address any concerns they may have or to learn what is taking place in the schools. She advised Southside parents would be notified when a date for a meeting has been set for that part of the City.

Mrs. Archie reported there had been an improvement in the program completions and percentages based on diploma awarding in the Danville City Schools. She advised test scores for grades K-12 overall had improved tremendously between the years 2004-2006. Mrs. Archie said the School System had a master plan containing eleven programs and includes something for every student in the city schools. Mrs. Archie encouraged parents to become more involved with their children's education.

Mrs. Archie invited those who wish to earn a GED to come to the Open House of the Danville Public School's Adult and Continuing Education Center located on 145 Goode Street. The event will take place on Tuesday, September 26 from 12 Noon to 7 P.M.

Council Member Luther reported he and Mrs. Archie had attended a committee meeting at Danville Community College recently. Mr. Luther said he and Mrs. Archie were privileged to see the NanoTechnology study before it was released. Mr. Luther said a cluster of nanotechnology facilities was being sought and felt it would be a positive thing for the Danville area.

Council Member Oakes reported on an article that appeared in the October 2 issue of *Forbes Magazine*. Mr. Oakes advised there was an article in the magazine about the textile industry and what had happened in Danville relating to Dan River Mills. He informed Council the article also contained quotes from Mayor Williams.

Vice-Mayor Saunders invited Council and the Community to attend the Annual Dinner Meeting of the Pittsylvania County Community Action Agency. Mr. Saunders advised the meeting would be held at the Stratford Conference Center on Friday, September 22, beginning at 7:00 P.M. The keynote speaker will be Bill Shelton, Executive Director of Virginia Housing and Community Development. Governor Tim Kaine appointed Mr. Shelton to the post.

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Mr. Saunders advised he had received concerns from citizens about taxing and sticker requirements for vehicles that are covered with canvas and sit on carports on private property. He said the citizens were seeking answers as to why current license tax and inspection stickers were necessary if the vehicles were not being used. At Vice-Mayor Saunders request, City Manager Gwaltney agreed to look into the matter.

Council Member Tomer reported he had attended a Constitution Day event at Bonner last Friday and commented on how well-organized the event was. Mr. Tomer stated he was impressed with the good behavior and good manners of the students. He commended the students and the faculty for their excellence.

Mr. Tomer reported there would be a band competition at GWHS this weekend. He encouraged everyone to come out and watch the GWHS Marching Eagles perform.

Mr. Tomer expressed his excitement over the partnership between Averett University and Danville Community College (DCC) that makes it easier for DCC students to transfer to a four-year school.

Mr. Tomer stated he had received a complaint from a citizen on Montague Street, who reported the sidewalk was dug up about two years ago and to date had not been adequately repaired. The citizens felt the uneven sidewalk presented an eyesore and was a safety hazard. Mr. Tomer requested the appropriate staff look into the matter.

Mayor Williams read into the record the following members of the Memorial Commission: Ruby Archie, Stokes Daniels, Lyle Lacy, Fred Shanks, Geary Davis, and Joe Miller. Dr. Williams advised there remained a vacancy and he would name a member soon.

Mayor Williams congratulated Council Member Archie on her recent appointment as Region Director of the Alpha Kappa Alpha Sorority. Dr. Williams said he attended the reception and was very impressed with the quality of talent and skills among the members. He advised Mrs. Archie was introduced as a "Ruby among Pearls."

Dr. Williams reported on an article in this month's *Fortune Magazine*, which contains an article about Danville. He said a special advertising section purchased by the State of Virginia contains an article citing Danville as an example of how to attract industry and how to incorporate higher education, which is taking place through the Institute for Advanced Learning and Research in our recruitment efforts.

Dr. Williams reported the Institute had recently received the prestigious "The Governor's Technology Award." There were greater than thirty-five institutions involving innovation and how they use technology and research for higher education in competition

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for the award. Mayor Williams commended the institute staff for their efforts in competing for the award.

Mayor Williams asked that a Council Retreat be scheduled for sometime in November. He asked Council Members to contact the City Manager's Executive Assistant Vicky Farmer with possible dates. Dr. Williams reported a joint meeting with the Pittsylvania County Board of Supervisors was also being planned.

Upon unanimous voice vote, the Meeting recessed to the Work Session at 7:35 P.M.

Clerk's Note: Council Member Castiglione left the Work Session at 9:20 P.M. before the regular meeting was reconvened.

At 9:27 P.M., Mayor Williams reconvened the Regular Council Meeting in the Fourth Floor Conference Room.

MEMORANDUM OF UNDERSTANDING - CITY & DAN RIVER DEVELOPMENT, LLC

Council Member Hamlin moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-09.03

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF DANVILLE AND DAN RIVER DEVELOPMENT, LLC.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 8-0
AYE: Archie, Daniels, Hamlin, Luther, Oakes, Saunders,
Tomer, and Williams (8)
NAY: None (0)
ABSENT: Castiglione (1).

The Meeting adjourned at 9:28 P.M.

MAYOR

CLERK